
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ELGIDIO LIND,

(List the full name(s) of the plaintiff(s)/petitioner(s).)

-against-

23-CV-6903 (CS)

23 CV 6056 (CS) ()

**MOTION FOR EXTENSION
OF TIME TO FILE NOTICE
OF APPEAL**

ANTHONY ANNUCCI, et Al.,

(List the full name(s) of the defendant(s)/respondent(s).)

I move under Rule 4(a)(5) of the Federal Rules of Appellate Procedure for an extension of time to file a notice of appeal in this action. I would like to appeal the judgment

entered in this action on 2/6/25 but did not file a notice of appeal within the required date time period because:

Of the State Wide Lock Down and I being housed in the Special Houseing Unit without my Personal Property and Legal File's which I have now learn that all my Legal Papers are loss and not found.

(Explain here the excusable neglect or good cause that led to your failure to file a timely notice of appeal.)

Dated:

Signature

Name (Last, First, MI)

Address

City

State

Zip Code

Telephone Number

E-mail Address (if available)

Under Federal Rule of Appellate Procedure 4(a)(1), a party has 30 days from entry of judgment to file a notice of appeal. Judgment was entered on 2/7/25, so the notice should have been filed by 3/9/25 (as 3/9/25 was a Sunday). Under Rule 4(a)(5)(a), the court may extend that deadline, but only if the party shows good cause or excusable neglect, and application is made within 30 days, which would be 4/9/25. This application therefore comes too late. Finally, under Rule 4(a)(6), the court can re-open the time to file a notice of appeal, but only if, among other things, the party did not receive notice of the entry of the judgment within 21 days and the request is made within 7 days of receipt of notice. Plaintiff has not made either showing. Indeed, his motion is not even signed. Accordingly, the application is denied. The Clerk of Court is respectfully directed to send a copy of this endorsement to Mr. Lind; to docket it in Nos. 23-CV-6056 and 23-CV-6903; and to terminate ECF No. 78 in 23-CV-6056.

Rev. 3/27/15

SO ORDERED.

5/22/25


CATHY SEIBEL, U.S.D.J.